

CITY OF FREDERICKSBURG, VIRGINIA



DRAFT
COMMUNITY DEVELOPMENT BLOCK GRANT
ANNUAL ACTION PLAN

PROGRAM YEAR 2010/2011
(JULY 1, 2010 TO JUNE 30, 2011)

Prepared by: Office of Planning and Community Development

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ACTION PLAN

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EXECUTIVE SUMMARY

According to the U.S. Census Bureau's 2006-2008 American Community Survey, 5,540 households, or 64.72 percent of the households in the City of Fredericksburg met the Department of Housing and Urban Development's (HUD) definition of low or moderate income (LMI) households. These households have an increasingly more difficult time finding or maintaining affordable housing and other fundamental community services. They have limited funds to meet daily needs and to ensure safe and stable living environments for their families. The City of Fredericksburg uses its Community Development Block Grant (CDBG) funds to provide qualifying individuals and families with necessary housing assistance and public services.

This is the City of Fredericksburg's first Annual Action Plan from the 2010 Consolidated Plan (5-year strategic plan). It identifies activities that the City will undertake in the 2010-2011 program year to address priority needs in the community. The Plan describes the resources available, the programs and projects to be funded and the proposed accomplishments for the 2010-2011 program year.

A total of \$250,749 is available for programming to carry out the Action Plan activities for the next program year. Current objectives include owner occupied emergency housing repair for 10 units, removal of architectural barriers for 3 units, emergency grant assistance to prevent foreclosure and intense financial counseling for 10 LMI individuals, housing assistance for 2 LMI individuals, legal assistance and awareness for 200 LMI people, HIV/AIDS education and support for 10 LMI people, providing food for 200 elderly LMI individuals, homeownership assistance for 3 LMI families purchasing a home in the City, furthering fair housing initiatives, and general program administration. The Action Plan outlines other housing and community development actions to be taken in accordance with the Consolidated Plan including the prevention of homelessness, the reduction of lead-based paint hazards, removal of barriers to affordable housing development, and addressing underserved needs.

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INTRODUCTION

The Action Plan is developed with active citizen participation and serves as the City's application for federal funds under the Community Development Block Grant (CDBG) program. This document identifies how the City intends to address housing and homeless needs during the next program year and is submitted to the U.S. Department of Housing and Urban Development (HUD), which is the funding agency. This Plan also provides a basis for assessing the City's community development effort.

COMMUNITY DESCRIPTION

Historically, Fredericksburg's fortunes have been closely related to its function as a transportation hub. Maritime trade, roads into the wilderness, and railroad development have all brought opportunities for development. Today, major north/south highways, and a railway, ensure the City's continued prominence in the rapidly growing Northern Virginia area. Fredericksburg has become an outer suburb of the Washington, D.C. metropolitan area and is included in the Washington – Baltimore, D.C. – MD – VA – WV Combined Metropolitan Statistical Area.

COMMUNITY DEVELOPMENT NEEDS

The eligibility threshold for community development programs, as defined by HUD, is persons and families whose household income is 80 percent of the area median income or below. Within this category are several sub-categories. **Extremely low-income families**, for example, are those whose income is between 0 and 30 percent of the area median. **Low-income families** are defined as those whose income is between 30 and 50 percent of the area median. Qualifying **moderate-income families** have incomes between 50 and 80 percent of area median.

According to the U.S. Census Bureau's 2006-2008 American Community Survey (ACS), there were 8,560 households in Fredericksburg at the time of the count. Using HUD criteria, 3,885 households were considered low income, with incomes at 50 percent of the area median income or below. Another 1,655 households were determined to be moderate-income, with incomes between 50 and 80 percent of area median. The total number of households in Fredericksburg that could be classified as low- and moderate-income was 5,540 or 64.72 percent of the City's households which is an increase of over 1,000 low- and moderate-income households above the 2000 Census data.

PLAN DEVELOPMENT PROCESS

The City of Fredericksburg is required to prepare an Action Plan to participate in federal and state community development and housing programs. This Plan is the proposed implementation of the first annual phase (2010-2011) of the City's Consolidated Plan for Community Development Programs (2010).

A summary of the Plan was provided to civic associations and churches on March 24, 2010. A completed draft plan was subsequently made available to the public for a 30-day comment period. To ensure the public could participate in this review process, a summary of the Plan was published in the local newspaper on March 30 and a copy of the draft Plan was placed in the Central Rappahannock Regional Library and on the City's website www.fredericksburgva.gov.

CITIZEN PARTICIPATION

In accordance with the City's adopted Citizen Participation Plan, a public hearing was held on February 23, 2010, to obtain citizen comment during Plan development. Staff advertised this hearing in the Free Lance-Star newspaper (February 9 and 16) and notified neighborhood organizations and churches directly (letters sent on January 21, 2010), to give these organizations sufficient time to make announcements at their regularly scheduled meetings. This notice included the amount of CDBG funds expected to be available, locations where the Plan could be reviewed, and a note that the Plan could be made available in another form, if necessary, to make it accessible to persons with disabilities.

City Council held a public hearing for input on the development of the Annual Action Plan, on February 23, 2010, but there were no speakers. The lack of speakers does not indicate a lack of interest, though. City staff maintains a close liaison with neighborhoods throughout the year during which time public comments are solicited and provided. In this context, a formal public hearing provides an opportunity for comment, but can also be redundant.

A public notice, including a summary of the Plan, was published in the Free Lance-Star newspaper on March 30, 2010. This notice opened a 30-day public review and comment period for the draft plan. Additional notices were sent to individual neighborhood organizations, churches, non-profits and interested citizens on March 24, 2010. City staff extended offers to each of these groups to present the draft plan at a community and/or church meeting.

Public comment to be added here.

The public comment period closed on April 29, 2010 and staff finalized the document for approval by the Fredericksburg City Council and submittal to HUD.

STANDARD FORM 424

Standard Form 424 (on the reverse of this page) is the official application by the City of Fredericksburg to the U.S. Department of Housing and Urban Development for its Community Development Block Grant annual entitlement.

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RESOURCES

FEDERAL RESOURCES

Community Development Block Grant (CDBG)

The CDBG program is targeted toward the development of viable urban communities. Its primary beneficiaries are low- and moderate-income persons/households. The City receives grant money directly from HUD, according to a statutory formula that measures the needs of the community.

Eligible activity types are numerous and include neighborhood revitalization, economic development, provision of improved community facilities, prevention and elimination of slums, and other activities assisting low- and moderate-income families.

Continuum of Care Funding

For the 2010-2011 program year, two local programs will receive funding through the Continuum of Care (CoC) Federal award. The George Washington Regional Commission will receive \$59,305 to administer the Homeless Management Information System (HMIS). The HMIS is a data collection software program designed to capture information over time on the characteristics of persons experiencing homelessness. This information will enhance coordination among agencies to more effectively provide services to clients who are homeless or at-risk of homelessness including, housing placement, medical treatment, and access to a network of other funding and resources. The Hope House will receive \$57,918 to continue administration of supportive services to women and children who reside at the transitional housing facility. The services will include licensed child care, job placement, life-skills training, and on-site case management. A third application by Micah Ecumenical Ministries in the amount of \$63,264 for a new two-year permanent supportive housing program to serve the chronically homeless is pending review by HUD.

Homelessness Prevention and Rapid Re-housing Program (HPRP)

The City will continue to work with the Thurman Brisben Center and Salvation Army, as part of the CoC, to implement the \$727,282 in federal Homeless Prevention and Rapid Re-Housing Program (HPRP) funds awarded through the Virginia Department of Housing and Community Development in October 2009, to provide critical prevention and re-housing programs throughout Planning District 16.

NON-FEDERAL RESOURCES – STATE

The City of Fredericksburg does not intend to use state funds to achieve the goals specified in this plan.

NON-FEDERAL RESOURCES - LOCAL

Tax Relief for Certain Rehabilitated Structures

The City of Fredericksburg grants partial real estate tax exemptions for rehabilitated real estate that meets tax exemption criteria. Both single-family and multi-family dwelling units can potentially qualify for the program. If a dwelling unit qualifies for tax exemption, the increase in real estate value resulting from rehabilitation will be excused from taxation for seven years on a declining scale.

Tax Exemption Program for Elderly and/or Disabled

The City also provides real estate tax exemptions for the elderly and/or disabled persons who meet certain income criteria. Depending upon the combined income of the program participant and spouse or other relatives residing with that person, a certain percentage of real estate taxes can be exempted from payment. Program participants, however, are required to own and occupy the property as their sole dwelling place.

PRIVATE RESOURCES - FOR-PROFIT

Fredericksburg Area Builders Association (FABA)

The Fredericksburg Area Builders Association (FABA) provides homeownership opportunities for local families and assists in raising funds to help the working homeless to find permanent shelter.

PRIVATE RESOURCES - NON-PROFIT

Lend-A-Hand Program / Intense Financial Counseling

The Lend-A-Hand Program provides assistance to qualifying families threatened with eviction or foreclosure while Intense Financial Counseling helps low-income residents to maintain financial independence. These funds are raised locally by the Central Virginia Housing Coalition, with the assistance of the Fredericksburg Area Association of Realtors, the Fredericksburg Area Builders Association and local churches. Both programs are administered by the Central Virginia Housing Coalition and include budget counseling.

Central Virginia Housing Coalition Homebuyer Programs

The Central Virginia Housing Coalition has three homebuyer programs. The first is the SPARC (Sponsoring Partnerships and Revitalizing Communities) Program to build or rehabilitate housing for low-income families. The second program is a partnership with local builders called Helping Hand for Homebuyers. This program helps provide closing costs to low and moderate income first time homebuyers. The third program is a partnership with VHDA to administer Single Family Regional Loan Funds to provide low interest mortgage financing for low income homebuyers. The Coalition also provides housing credit and budget counseling as a related component of these programs.

Habitat for Humanity

The Greater Fredericksburg Habitat for Humanity affiliate established itself in 1995 to work in partnership with businesses, governments, and citizens to build lives as well as houses. Habitat volunteers assist selected needy persons to construct their first homes. This organization emphasizes community and homeowner participation.

Rebuilding Together (formerly known as Christmas in April)

Rebuilding Together is a volunteer program that brings together a variety of resources within a community to repair and rehabilitate homes for low income, elderly, and handicapped homeowners. This program obtains donations of skilled and unskilled labor as well as materials to renovate homes region-wide during a workday in April. This is a nation-wide program and the Fredericksburg area activities have always been a positive contribution to this community.

Fred Camp

FredCamp is a non-profit Christian organization which repairs and renovates homes of low-income families, families with disabilities, and the elderly. The work camp operates for one week only, in July of each year, and there is no cost to the owners of our project homes. The work is performed by high school aged youth and their chaperones, all volunteers. Typical FredCamp projects include, but are not limited to, installing and patching drywall, replacing flooring, painting, installing gutters, fixing porches, and constructing wheel chair ramps. The organization does not perform major electrical work, plumbing, or roofing.

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ACTIVITIES TO BE UNDERTAKEN

During the CDBG program year, the City of Fredericksburg will implement three housing programs. The first is the Emergency Home Repair Program which assists homeowners whose household income is at or below 50% of area median income depending on household size to make plumbing, roofing, and electrical repairs. The second program is the Direct Homeownership Assistance Program, which provides down payment and closing cost assistance to qualifying homebuyers whose household income is at or below 80% of area median income depending on household size and are purchasing a home in the City or refinancing out of sub-prime and high risk mortgages into fixed rate mortgages on homes in the City. In 2009, Fredericksburg began administering its third program, the Removal of Architectural Barriers Program which provides limited architectural modifications to the homes of qualifying persons with disabilities whose household income is at or below 80% of area median income depending on household size, to maximize their independence and self-sufficiency. Lead-based paint hazard reduction is an integral component of each of these housing programs.

In addition to housing activities, CDBG funds will be used to assist in the provision of specific public services and programs. Such services are designed to reduce homelessness through prevention activities, to assist persons to locate and obtain decent housing, to assist persons with HIV/AIDS to obtain supportive services to avoid individual crises, and to provide food to qualifying elderly persons. These programs are provided to qualifying persons who household income is at or below 80% of area median income depending on household size.

Other CDBG funds will be used for overall program administration and public information. In addition, funds will be directed toward addressing impediments to fair housing.

All CDBG program eligibility is based upon HUD's annual Section 8 income limits.

LOW/MODERATE INCOME BENEFIT

CDBG funding in the amount of \$204,049 will be used for activities that benefit low- and moderate-income persons. This figure is 81.4 percent of the City's annual CDBG entitlement for the 2010/2011 Program Year. Fully 100 percent of program beneficiaries will be qualifying low/moderate-income persons, but the expenditure of funds necessarily includes administrative costs.

FUNDING SOURCES

The table on page 10 shows the funds that are proposed to be used for these activities during the program year.

LISTING OF PROPOSED PROJECTS

The tables on pages 11 through 20 show the activities the City of Fredericksburg will undertake during the next year to address priority needs identified in the Consolidated Plan (2010).

Funding Sources

Entitlement Grant (includes reallocated funds)

CDBG	\$250,749	
ESG	0	
HOME	0	
HOPWA	0	
TOTAL		\$250,749

Prior Years' Program Income NOT previously programmed or reported

CDBG	\$0	
ESG	0	
HOME	0	
HOPWA	0	
TOTAL		\$0

Reprogrammed Prior Years' Funds

CDBG	\$0	
ESG	0	
HOME	0	
HOPWA	0	
TOTAL		\$0

Total Estimated Program Income	\$0
Section 108 Loan Guarantee Fund	\$0
Total Funding Sources	\$250,749
Other Funds	\$0
Submitted Proposed Projects Totals	\$0
Un-Submitted Proposed Projects Totals	\$250,749

**U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects**

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0001	Housing Rehabilitation Assistance	14A Rehab; Single-Unit Residential	CDBG ESG	\$112,380
10-1	Housing	570.202	HOME HOPWA	\$0
	The City will facilitate emergency repair of roofs, plumbing, and electrical hazards for qualifying LMI households in an effort to maintain existing affordable housing stock.	10 Housing Units	TOTAL	\$112,380
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10

Help those with HIV or Aids? No Completion Date: 06/30/11

Eligibility: 570.208(a)(3) – Low/Mod Housing

Subrecipient: Local Government

Location(s): Community Wide

**U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects**

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0002	Removal of Architectural Barriers	14A Rehab; Single-Unit Residential	CDBG ESG	\$14,269 \$0
10-2	Housing	570.202	HOME HOPWA	\$0 \$0
The City will provide limited architectural modifications to the homes of LMI persons with disabilities, to maximize their independence and self-sufficiency.		3 Housing Units	TOTAL	\$14,269
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10

Help those with HIV or Aids? No Completion Date: 06/30/11

Eligibility: 570.208(a)(3) – Low/Mod Housing

Subrecipient: Local Government

Location(s): Community Wide

**U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects**

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0003	Public Service-Central Virginia Housing Coalition	05 Public Services (General)	CDBG ESG	\$8,000 \$0
10-3	Public Services	570.201(e)	HOME HOPWA	\$0 \$0
	Provide funding to assist the Central Virginia Housing Coalition (CVHC) to operate its Lend-A-Hand and the Intense Financial Counseling programs. Lend-A-Hand provides emergency grants to households threatened with eviction or foreclosure. Intensive Financial Counseling helps maintain financial independence of low-income City residents.	12 People (General)	TOTAL	\$8,000
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10

Help those with HIV or Aids? No Completion Date: 06/30/11

Eligibility: 570.208(a)(2) – Low/Mod Limited Clientele

Subrecipient: Subrecipient Private 570.500(c)

Location(s): Community Wide

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0004	Public Service- Rappahannock Legal Services	05C Legal Services	CDBG ESG	\$18,300 \$0
10-4	Public Services	570.201(e)	HOME HOPWA	\$0 \$0
Provide funding to Rappahannock Legal Services (RLS) to increase their capacity to provide assistance to LMI individuals and their families threatened with eviction, foreclosure, and utility shut-offs. RLS also assists clients to locate and obtain decent and affordable housing.		200 People (General)	TOTAL	\$18,300
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10

Help those with HIV or Aids? No Completion Date: 06/30/11

Eligibility: 570.208(a)(2) – Low/Mod Limited Clientele

Subrecipient: Subrecipient Private 570.500(c)

Location(s): Community Wide

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0005	Fredericksburg Area HIV/AIDS Support Services	03T Operating Costs of Homeless/AIDS Patient Programs	CDBG ESG	\$8,000 \$0
10-5	Public Improvement	570.201(e)	HOME HOPWA	\$0 \$0
	Provide funding to assist Fredericksburg HIV/AIDS Support Services to serve low- income residents living with HIV/AIDS. This project will also provide education assistance to the at-risk population.	10 People (General)	TOTAL	\$8,000
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10
 Help those with HIV or Aids? Yes Completion Date: 06/30/11

Eligibility: 570.208(a)(2) – Low/Mod Limited Clientele

Subrecipient: Subrecipient Private 570.500(c)

Location(s): Community Wide

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0006	Program Administration	21A General Program Administration	CDBG ESG	\$45,400
10-6	Planning & Administration	570.206	HOME HOPWA	\$0 \$0
	Provide oversight, management, monitoring, and coordination of the CDBG program.	0 N/A	TOTAL	\$45,400
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10
 Help those with HIV or Aids? No Completion Date: 06/30/11

Eligibility:

Subrecipient: Local Government

Location(s): N/A

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0007	Fair Housing	21D Fair Housing Activities (subject to 20% Admin cap)	CDBG ESG	\$500 \$0
10-7	Planning & Administration	570.206	HOME HOPWA	\$0 \$0
Engage in specific fair housing activities.		0 N/A	TOTAL	\$500
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10
 Help those with HIV or Aids? No Completion Date: 06/30/11

Eligibility:

Subrecipient: Local Government

Location(s): N/A

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0008	Public Information	21C Public Information (subject to 20% Admin cap)	CDBG ESG	\$800 \$0
10-8	Planning & Administration	570.206	HOME HOPWA	\$0 \$0
	Provide public information about the CDBG program.	0 N/A	TOTAL	\$800
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10
 Help those with HIV or Aids? No Completion Date: 06/30/11

Eligibility:

Subrecipient: Local Government

Location(s): N/A

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0009	Direct Homeownership Assistance	13 Direct Homeownership Assistance	CDBG ESG	\$40,500 \$0
10-9	Housing	570.201(n)	HOME HOPWA	\$0 \$0
	The City will assist low- to moderate-income homebuyers with specific down payment and closing costs to help promote homeownership.	3 Households (General)	TOTAL	\$40,500
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10

Help those with HIV or Aids? No Completion Date: 06/30/11

Eligibility: 570.208(a)(3) – Low/Mod Housing

Subrecipient: Local Government

Location(s): Community Wide

U.S. Department of Housing & Urban Development
CPD Consolidated Plan
Listing of Proposed Projects

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources	
0010	Public Service – Food Bank	05A Senior Services	CDBG ESG	\$2,600 \$0
10-10	Public Service	570.201(e)	HOME HOPWA	\$0 \$0
	Provide food to qualifying elderly persons through the Food for Life Brown Bag Program.	200 People (General)	TOTAL	\$2,600
			Total Other Funding	\$0

Help the Homeless: No Start Date: 07/01/10

Help those with HIV or Aids? No Completion Date: 06/30/11

Eligibility: 570.208(a)(2) – Low/Mod Limited Clientele

Subrecipient: Subrecipient Private 570.500(c)

Location(s): Community Wide

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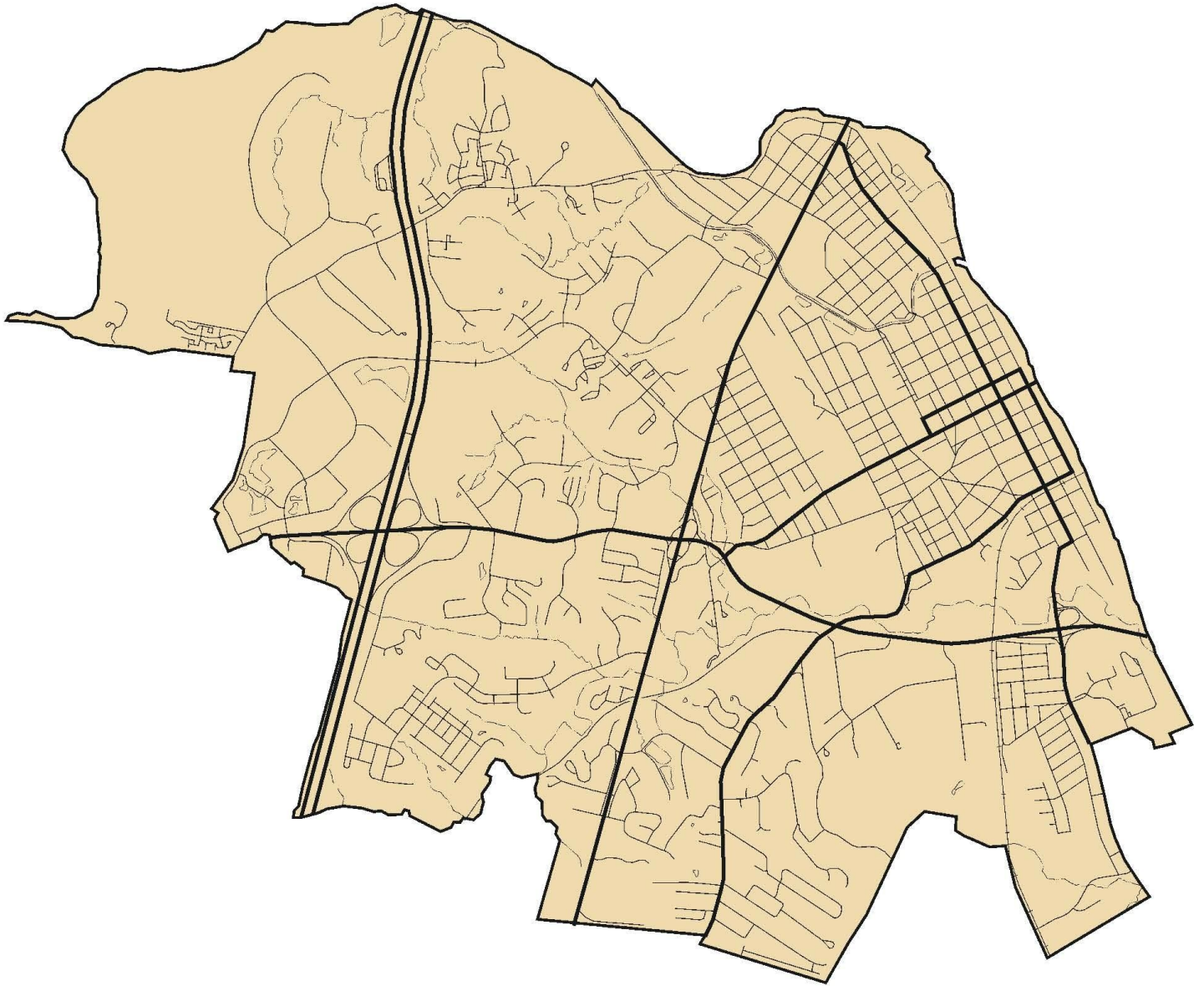
GEOGRAPHIC DISTRIBUTION

The Emergency Home Repair Program, Direct Homeownership Assistance Program, and Removal of Architectural Barriers Program are administered on a first come, first served basis. Emergency home repairs and needs to removal architectural barriers are addressed as quickly as possible, so waiting lists work exceptionally well. Homeownership assistance favors applicants who are strongly committed and have qualified for a mortgage loan. In each instance, distribution of these programs City-wide is appropriate because benefits are always targeted to eligible households.

Most CDBG related activity will occur where there are higher concentrations of low-income persons. Most of the applications will come from eligible citizens in those areas. Low-income needs are not very concentrated, but are scattered throughout the City. By making CDBG investment available City-wide, eligible persons in need will be served more equitably than if such activity were geographically restricted.

Most community development strategies will be pursued throughout the City of Fredericksburg, according to applicable program designs, where qualifying persons are located.

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MAP 1. Project Area

Fredericksburg's CDBG programs are available city-wide to qualifying households.

HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES

A comprehensive system to effectively address homeless needs includes several components. First, there must be an alternative to being without shelter. Second, there must be a means to transition from shelter to permanent housing. Third, there must be permanent housing available that is affordable. Fourth, there should be a means to effectively prevent homelessness in the first place and thus avoid the above cycle. These interrelated components constitute what is called a continuum of care.

The City of Fredericksburg is the lead agency for the Fredericksburg Regional Continuum of Care (CoC). This CoC includes representatives from Social Services departments from Planning District 16 as well as numerous other public and private organizations and agencies, volunteers, and homeless/formerly homeless individuals that meet to examine homeless issues in a broader, regional context. The CoC is actively pursuing a broader membership as part of its long-range strategic planning efforts. This regional effort maximizes the efficiency of the regional Continuum of Care's various components. The George Washington Regional Commission has established a Homeless Management Information System, to better coordinate services as well as provide better planning. The following activities will also be undertaken during the next program year:

EMERGENCY SHELTER

Shelter capacity in Fredericksburg, for homeless individuals and families, has been provided by the Thurman Brisben Center, which has an 80 bed capacity. The Thurman Brisben Center, however, also functions as a short term transitional facility with a strong programmatic component to help homeless persons reestablish themselves. As a consequence, persons who cannot meet the shelter entry requirements (alcohol and drug free, etc.) may not be able to find an alternative to being on the street. It is simply not viable to mix persons with substance abuse problems and/or mental health issues with persons trying to transition out of a homeless situation at the Thurman Brisben Center.

In 2009, the Continuum of Care supported Micah Ecumenical Ministries in establishing a permanent location for the 50+ bed cold weather shelter in Stafford County. The facility is open from November to March each winter. Due to the shelters seasonal availability, the CoC will continue to work with the organization to provide a year-round facility. The daytime support component to the cold weather shelter is provided at the Hospitality Center which is located in the City of Fredericksburg.

Micah Ecumenical Ministries provides two apartments, available to homeless people exiting the hospital, in need of temporary or terminal care through its Respite Ministry. Those staying there are assisted with enrollment at the Lloyd F. Moss Free Clinic, prescriptions and follow-up plans, so that they stay healthy and avoid unnecessary repeat hospitalizations. In 2010, this program is expected to expand into an eight-bed group home, staffed around the clock with mental health professionals. Staff will include a caseworker, tasked with assisting guests walk through the Social Security and Medicaid process. It will bring players from the medical community to the table and create dozens of additional opportunities for volunteers.

TRANSITIONAL HOUSING

A careful analysis of homeless needs in Fredericksburg reveals that transitional housing (TH) remains a critical concern. The City of Fredericksburg has worked with Hope House to expand its transitional housing capacity including dedicating funds to create twelve new beds in four family units during the 2010-2011 program year as noted with the Substantial Amendment to the 2008-2009 Annual Action Plan, but additional facilities in neighboring

jurisdictions would also be useful, since this problem is a regional one and effects single men and women who are not served by Hope House. As noted above, the Thurman Brisben Center serves as a short term transitional facility.

Beginning in 2010, the Rappahannock Council on Domestic Violence (RCDV) will use a new federal DV grant to provide TH to people fleeing domestic violence. RCDV's goal will be to ultimately move clients into PH. Victims in TH will receive case management, victim advocacy, and an employment specialist that will be available to assist them to retain employment or obtain employment. Goodwill Industries is the organization providing the employment service as a contractual partner in the grant. The City of Fredericksburg does not propose to use CDBG funds for this item.

PERMANENT SUPPORTIVE HOUSING

Micah Ecumenical Ministries currently supports approximately twenty homeless individuals in apartments throughout Fredericksburg and in south Stafford. Supportive services include, move-in assistance, minimal financial and independent living.

The CoC recently supported the expansion of the Micah Ecumenical Ministries efforts to provide permanent housing for chronically homeless members of the region. In 2009, an application was submitted to HUD to fund a two-year program to house twelve chronically homeless individuals. The requested funding will pilot what Micah plans as a community-wide effort to create housing funds for those whose incomes, backgrounds and credit histories. This program will demonstrate the necessary steps to transitioning a chronically homeless person from the street into housing. If we show our region that ten street people can be successful in housing with support services, we are more likely to grow support and garner additional funds to help more individuals. Success in this program will be qualified as maintaining housing for 12 months or more, transitioning into other housing outside the program or increasing income through employment or other resources in a way that Micah's rental subsidy is no longer needed. Those who exit from the program will continue to receive support services, as long as they require it. Grant funds will assist them with rental subsidies, so that no more than 30 percent of their income is going toward rent. They will be required to work on goals outlined in an individual success plan, participate in a weekly support group and give ten hours of community service per month. Based on each client's need, individuals, groups or churches would provide support services. The Notice of Award is still pending from HUD. Regardless of the outcome, the CoC will continue to support Micah in this effort which anticipates the creation of 10 new permanent supportive housing beds for the chronically homeless population through other funding sources. The City of Fredericksburg does not propose to use CDBG funds for this item.

HOMELESS PREVENTION

Preventing homelessness is invariably more cost effective than providing homeless facilities and services. The City of Fredericksburg will continue to address homeless prevention by supporting Rappahannock Legal Services as well as the Central Virginia Housing Coalition's Lend-a-Hand Fund and Intense Financial Counseling Program. Both of these organizations intervene to prevent evictions and foreclosures. The City will continue to work with the Thurman Brisben Center and Salvation Army to implement the \$727,282 in federal Homeless Prevention and Rapid Re-Housing Program (HPRP) funds awarded from the Virginia Department of Housing and Community Development in October 2009, provide critical prevention programs throughout Planning District 16. Homeless prevention also includes maintenance of affordable housing, but this activity is discussed under Other Actions, below.

SPECIAL NEEDS

There are several categories of citizens who are not homeless, but who have special needs. These categories include elderly/frail elderly persons, persons with disabilities, persons with alcohol and other drug addiction, and persons with HIV/AIDS and their families.

The Housing Choice Voucher Program includes a set of vouchers used by the Rappahannock Area Community Services Board (RACSB) to help meet the needs of persons with mental illness or mental handicap. Mary Washington Hospital and RACSB primarily assist persons with alcohol and other drug addictions. At least one other private facility operates in the City assisting people who are recovering from alcohol addiction. Of concern, however, are homeless persons who may be mentally ill. The RACSB is an active participant in the regional Continuum of Care planning to address these and other homeless needs.

The above special needs are being met through agencies and organizations which have been in place for many years. The needs of persons with HIV/AIDS and their families, on the other hand, are being addressed by an organization called Fredericksburg Area HIV/AIDS Support Services (FAHASS). The City of Fredericksburg provides direct support to FAHASS to allow them to identify persons who need supportive services as well as to help them provide these services. This assistance will continue.

The City will also administer a program to remove architectural barriers in homes for physically disabled persons, as needed. City staff has also worked with a local non-profit organization called Housing Opportunities Made Economical (HOME) to help provide new housing that is accessible to physically handicapped persons. Although no CDBG funds have been requested by this organization, staff maintains a close liaison and provides other assistance, as appropriate.

Finally, the City will continue to provide funding to the Fredericksburg Area Food Bank, to assist this agency in providing food to qualifying elderly persons who find themselves in need of such assistance.

OTHER ACTIONS

REMOVING OBSTACLES TO MEETING UNDERSERVED NEEDS

A community development program must be continuously evaluated to ensure needs are being effectively met. A part of this analysis includes identification of obstacles to meeting underserved needs, as was done during development of the 2010 Consolidated Plan. The City of Fredericksburg will pursue the following activities to remove the identified obstacles:

- Continue to ensure individual dwellings are safe and sanitary, through emergency roof, plumbing, and electrical repairs. This popular program addresses health and safety issues directly and works well on a first come, first served basis, which allows funding to be directed according to the needs indicated by an active waiting list.
- Continue Homeownership Assistance efforts to provide the stabilizing influence of homeownership within the City's neighborhoods.
- Help to identify persons in need of shelter and services. City staff worked with the regional Continuum of Care to conduct a regional point-in-time count of homeless persons on the night of January 28, 2010. A total of 180 homeless persons (both sheltered and unsheltered) were counted in Fredericksburg alone. The regional total – including Fredericksburg as well as Stafford, Spotsylvania, King George, and Caroline Counties – came to 288 homeless persons (both sheltered and unsheltered). These figures do not include the 376 children who are at-risk of becoming homeless and living in an unstable environment such as area hotels and motels. Staff will continue to work with the regional Continuum of Care to meet the needs of the homeless population.

FOSTERING AND MAINTAINING AFFORDABLE HOUSING

Affordable housing is a basic component for overcoming homelessness as well as for maintaining a vibrant and diverse community of neighborhoods. The City of Fredericksburg already has the majority of the region's subsidized and assisted housing, as well as the majority of the area's available rental housing. The City seeks to maintain this existing level of housing while concurrently working to conserve its other residential neighborhoods. There is a strong need, for instance, to enhance the community's demographic stability by concentrating on homeownership opportunities.

The Emergency Home Repair Program is available only to low income homeowners, which contributes directly to Fredericksburg's affordable housing and neighborhood conservation policies. In addition, the Direct Homeownership Assistance Program provides closing cost and/or downpayment assistance to qualifying homebuyers. In 2008, the Direct Homeownership Assistance Program was expanded to allow qualifying homeowners to refinance out of sub-prime and high risk mortgages into fixed rate mortgages. This effort will seek to reduce foreclosure rates and stabilize neighborhoods in the City. In 2010, the Direct Homeownership Assistance Program may also be utilized by qualifying households to purchase previously foreclosed homes which are to be rehabilitated and resold through the region's Neighborhood Stabilization Program (NSP) administered by the Central Virginia Housing Coalition. Homes in Mayfield Subdivision, Central Park Townhomes, and throughout Census Tract 4 will be targeted for this funding. These are areas which are traditionally more affordable but have seen a rise in foreclosure rates. Through partnering CDBG funds and the NSP, the City seeks to stabilize these communities and expand homeownership opportunities.

Aside from emphasizing homeownership, Fredericksburg has a variety of housing types, including detached homes, townhouses, and several types of apartments. Recent construction of new homes as well as apartment complexes shows that this range of housing choice will continue to be available.

To help maintain Fredericksburg's affordable rental properties, the City has implemented a Rental Property Inspection Program; however due to budgetary constraints the program may be discontinued during the 2010-2011 program year. Inspections on a complaint basis will still be available to City residents. This effort does not require the use of CDBG funds, but even with limited availability furthers the City's community development and fair housing goals to maintain the existing housing stock in a safe and sanitary condition.

REMOVING BARRIERS TO AFFORDABLE HOUSING

The City of Fredericksburg has previously addressed barriers to affordable housing, by removing the requirement for off-street parking during residential infill development. This step also helps to preserve an existing neighborhood's character by maintaining continuity in setbacks rather than building new houses beyond the established limits and paving their front yards, to accommodate two-car parking pads.

During the next year, the City plans to continue its program to improve neighborhood conditions and promote conventional mortgage lending, by aggressively promoting the rehabilitation of owner-occupied units and the proper maintenance of rental properties.

EVALUATING AND REDUCING LEAD-BASED PAINT HAZARDS

Federal regulations require that lead hazard evaluation and reduction be carried out according to specific guidelines and criteria. This directive is integrated into the City of Fredericksburg's Emergency Home Repair Program, the Homeownership Assistance Program, and the Program for the Removal of Architectural Barriers.

The Community Development staff works with appropriately qualified contractors to accomplish the following tasks, as appropriate:

1. Do No Harm – Perform the required work in a way that does not create lead hazards.
2. Identify and Control Lead Hazards – Identify lead-based paint and hazards and use a range of methods to address them.
3. Identify and Abate Lead Hazards – Identify lead-based paint hazards and remove them permanently.

REDUCING THE NUMBER OF POVERTY LEVEL FAMILIES

The City's community development programs are related to reducing the number of poverty level families through the various types of assistance offered. Helping a family to meet specific housing needs, for instance, allows a low income family to address other needs. These programs include an Emergency Home Repair Program, Housing Choice Voucher Program (including a mentally handicapped/mentally retarded component), existing local tax relief programs for elderly and/or disabled persons, and homeless prevention programs through the Central Virginia Housing Coalition and Rappahannock Legal Services. All of these programs will continue to be implemented during the coming year. There is no use of CDBG funds to actually increase income. The benefit is indirect, through the provision of programs that handle large, one-time housing costs.

DEVELOPING INSTITUTIONAL STRUCTURE

Institutional structure is the way in which agencies and organizations provide services and coordinate their activities. City staff has already taken the lead with a group of shelter and service providers to maintain a regional continuum of care. This effort has become very successful and this regional group continues to expand the membership and activities. Fredericksburg serves as the lead agency in this effort and staff will continue to be involved with this growing organization.

ENHANCING COORDINATION

Coordination between public and private housing and social services agencies is clearly related to developing institutional structure. In Fredericksburg, however, there is no public housing to be coordinated. The Housing Choice Voucher Program is administered by the Central Virginia Housing Coalition.

PUBLIC HOUSING IMPROVEMENTS AND RESIDENT INITIATIVES

There is no public housing within the City of Fredericksburg.

FAIR HOUSING

In 2007, BBC Research and Consulting updated of the City's Analysis of Impediments to Fair Housing Choice. This firm developed a community/housing profile, reviewed lending complaints, examined existing policies, interviewed key persons, conducted a telephone survey, worked with staff to hold a public forum, and provided a final report and recommendations.

During the coming program year, the City will implement the following fair housing strategies which are recommended by the 2007 Analysis of Impediments.

RAISING VISIBILITY OF FAIR HOUSING AND THE COMPLAINT PROCESS

Maintain the newly developed Fair Housing component of the City's website dedicated to Fair Housing including links to the federal and state Fair Housing Acts as well as to the Virginia Fair Housing Office's website. The website identifies protected classes and specific instructions on how to file a complaint. It also contains a link to allow a visitor to download the "Guide to Virginia Landlord-Tenant Law and Local Rental Housing in Planning District 16" and contact information for the City's Rental Property Maintenance Program.

CONSIDERING INCENTIVES AND ALTERNATIVE FUNDING TO ENCOURAGE AFFORDABLE HOUSING

Provide direct homeownership assistance, through a CDBG program, to allow eligible persons to purchase a home or refinance out of sub-prime or high risk mortgages.

Coordinate with organizations such as the Central Virginia Housing Coalition in order to maximize the homeownership opportunities available to low- and moderate-income families. This will include partnerships with CVHC on implementing the Neighborhood Stabilization Program and providing down payment/closing cost assistance to qualifying households.

INCREASING AWARENESS AND KNOWLEDGE OF FAIR HOUSING

Continue to work with Rappahannock Legal Services to provide education and counseling related to the Virginia Residential Landlord-Tenant Act.

Continue to work with Rappahannock Legal Services to ensure a "Guide to Virginia Landlord-Tenant Law and Local Rental Housing in Planning District 16" remains available in English and Spanish and routinely updated.

Distribute the "Guide to Virginia Landlord-Tenant Law and Rental Housing in Planning District 16" through the Rental Housing Inspection Program (if continued) and general resident requested inspections.

ASSISTING RESIDENTS WITH SPECIAL NEEDS TO HAVE FULL ACCESS TO HOUSING AND SERVICES

Continue to implement provisions of the Zoning Ordinance that promote development of a variety of housing types.

Continue to implement provisions of the Statewide Building Code that provides accessibility for handicapped persons.

Ensure CDBG subrecipients are in compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Architectural Barriers Act.

Continue to fund and begin to administer the Removal of Architectural Barriers program which improves housing accessibility for persons with disabilities.

Strengthen efforts to improve and expand the FREDericksburg Regional Transit System throughout the Planning District. FRED offices have relocated to a new central location that is fully accessible and will continue to expand routes and service areas throughout the City and surrounding jurisdictions.

ENSURING CREDIT COUNSELING IS AVAILABLE AND TARGETED

Continue to fund the Intense Financial Counseling provided by the Central Virginia Housing Coalition, which is available to low- and moderate-income individuals.

Coordinate with the Central Virginia Housing Coalition and the VHDA Homeownership Education and GoForHome! Homebuyers Club courses which help prepare families for the responsibility of homeownership including the budgeting and credit repair.

ENSURING ORDERLY TRANSFERS OF ASSETS TO FACILITATE HOME IMPROVEMENT LOANS

Educate applicants for the Emergency Home Repair Program about the importance of creating a will. Where an original owner has died intestate, work with the heirs to file a list of heirs with the Circuit Court to obtain proper title and move forward with property improvement.

WORKING TO REDUCE NIMBYISM

Continue to implement the Rental Property Maintenance Program to ensure Fredericksburg renters can live in decent housing.

Continue to implement CDBG programs that address neighborhood conditions by promoting housing rehabilitation as well as homeownership.

MONITORING STANDARDS AND PROCEDURES

The City of Fredericksburg's Office of Planning and Community Development will be responsible for monitoring programs which use CDBG funds, according to HUD regulations.

The Office of Planning and Community Development will be responsible for developing guidelines for each contractual agreement the City enters into with an agency or organization, for the purpose of implementing the housing strategies identified in this document. Items to be specified in the contract include the work or service to be performed, the amount of funds budgeted, and the time-frame for performing the work or service. Each contract will also contain an outline of the goals and objectives against which the performance of CDBG program fund recipients will be measured, as well as information on the City's commitment to affirmatively further fair housing and to avoid residential displacement. All applicable statutory and regulatory requirements will also be included in each contract.

CDBG program fund recipients will be required to submit quarterly reports regarding the status of the project (to ensure that program rules are being followed). The Office of Planning and Community Development will monitor the City's CDBG program by analyzing required reports and conducting site visits. In order to ensure that funds are being used according to applicable statutes and regulations, the Office of Planning and Community Development will also conduct financial monitoring which will include quarterly reviews of expenditures to ensure they meet program regulations.

The City's CDBG funds will be formally audited in conjunction with the Department of Fiscal Affairs' annual audit. No separate audit of CDBG funds will be performed.

The City conducts onsite monitoring of its subrecipients on a rotating basis every two years as required by HUD. It reserves the right to terminate agreements with CDBG program fund recipients found to be in non-compliance with program guidelines and/or who are reluctant to take corrective measures.

Funds remaining unexpended after annual goals have been met will be applied to the housing rehabilitation category.

PERFORMANCE MEASUREMENT

The U.S. Department of Housing and Urban Development (HUD) has developed a performance measurement system to be used by localities receiving Federal community development funds. This system enables HUD to collect information on the outcomes of activities funded through formula grant assistance, and then develop aggregate information for analysis at the national, state and local level. The outcome performance measurement system has three specific objectives: (1) Creating a Suitable Living Environment, (2) Providing Decent Affordable Housing, and (3) Creating Economic Opportunities. Under each of these objectives are three outcomes: (1) Availability/Accessibility, (2) Affordability, and (3) Sustainability. This program is set up so that the three objectives, each having three possible outcomes, will produce nine possible outcome/objective statements within which to categorize grant activities.

All activities funded by City of Fredericksburg, through its CDBG program, will meet at least one of these objectives and outcomes, as defined by HUD:

OBJECTIVES

Suitable Living Environment:

Creating a suitable living environment is defined as improving the safety and livability of neighborhoods and increasing their access to the community as a whole.

Decent Affordable Housing:

Providing decent affordable housing encompasses retention and provision of safe and sanitary housing as well as prevention of homelessness.

Economic Opportunities:

Creating economic opportunities includes improvements to the economic viability of the locality and the creation and retention of jobs.

OUTCOMES

Availability/Accessibility:

This outcome category applies to activities that make services, infrastructure, housing, or shelter available or accessible to low- and moderate-income people, including persons with disabilities. In this instance, accessibility refers not only to overcoming physical barriers, but to overcoming barriers that make the basics of daily living available and accessible to low- and moderate-income people.

Affordability:

This outcome category applies to activities that make affordable a variety of things in the lives of low- and moderate-income people. It can include the creation or maintenance of affordable housing, connections to basic infrastructure, and/or services such as transportation and day care.

Sustainability/Promoting Livable or Viable Communities:

This outcome category applies to projects where the activity or activities are aimed at improving communities and neighborhoods, helping to make them livable or viable by providing benefit to persons of low- and moderate-income or by removing or eliminating slums or blight, through multiple activities or services that sustain communities and neighborhoods.

The projects for this Program Year meet the performance measurement objectives. All activities will also meet one of the performance measurement objectives. Each activity's objective and proposed outcome are provided in the following table.

2010-2011 Performance Measurement Table

Name of Project	Objectives			Outcomes		
	Suitable Living Environment	Decent Affordable Housing	Creating Economic Opportunities	Availability/ Accessibility	Affordability	Sustainability: Promoting Livable or Viable Communities
Housing Rehabilitation		X		X		
Removal of Architectural Barriers		X		X		
Public Service-Central Virginia Housing Coalition		X			X	
Public Service-Rappahannock Legal Services		X				X
Fredericksburg HIV/AIDS Support Services		X		X		
Direct Homeownership Assistance		X			X	
Public Service-Food Bank		X				X

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing – The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdictions, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plans – It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance Real Property Acquisition Policies of Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace – It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will –
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted.
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5, and 6.

Anti-Lobbying – To the best of the jurisdiction’s knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction – The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which It is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan – The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 – It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

Beverly R. Cameron, City Manager
Name / Title

DRAFT

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s), (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

Date

Beverly R. Cameron, City Manager
Name / Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code):

City Hall
715 Princess Anne Street, Room 209
Fredericksburg, Virginia 22401

Check if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 21.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).